

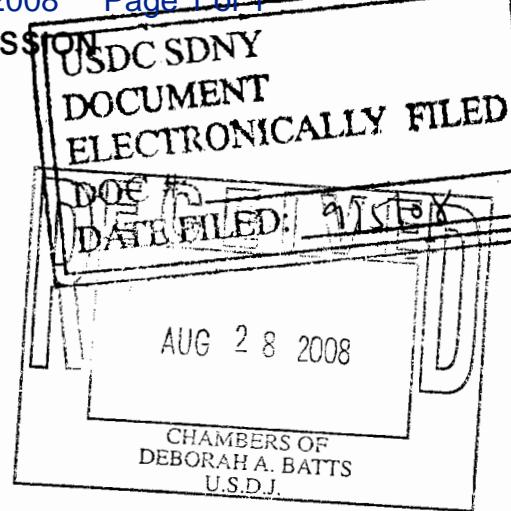


U.S. COMMODITY FUTURES TRADING COMMISSION

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Division of
 Enforcement

August 13, 2008



By Hand Delivery and First Class Mail

The Honorable Deborah A. Batts
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, NY 10007

Re: CFTC v. Elizabeth Baldwin, Docket No. 07 CV 10270 (DAB)

Your Honor:

I am a Senior Trial Attorney for the U.S. Commodity Futures Trading Commission (the "Commission"), Plaintiff in the above captioned matter, and I submit this letter pursuant to this Court's request via voicemail to respond to Ms. Baldwin's letter to the Court dated August 6, 2008.

The Commission filed the instant Complaint on November 13, 2007. Ms. Baldwin had previously sought five extensions of time for her to file an Answer to the Complaint so that a possible settlement of the instant litigation could be negotiated. The Commission did not oppose those requests. As a result of this Court's most recent "Order Granting Defendant Baldwin Additional Time to File an Answer" dated July 9, 2008, Ms. Baldwin was required to file an Answer to the Complaint on or before August 7, 2008.

Ms. Baldwin submitted a letter to the Court dated August 6, 2008 stating, in substance, that she will not consent to a settlement of the instant litigation at this time. Because Ms. Baldwin's letter does not request additional time to file an Answer nor does that letter constitute an Answer to the Complaint, the Commission respectfully requests this Court's permission, pursuant to Your Honor's Individual Practice Rule I.B.1, to seek a default judgment.

*Permission to move for Default
 Judgment GRANTED.*

SO ORDERED

Respectfully,

Elizabeth Brennan
 Senior Trial Attorney
 (646) 746-9747
 ebrennan@cftc.gov

cc: Ms. Elizabeth Baldwin via electronic mail and overnight courier

Deborah A. Batts 8/14/08
 DEBORAH A. BATTIS
 UNITED STATES DISTRICT JUDGE